



**STATE OF WASHINGTON  
DEPARTMENT OF SOCIAL AND HEALTH SERVICES  
Aging and Disability Services  
Aging and Long-Term Support Administration  
PO Box 45600, Olympia, WA 98504-5050**

April 29, 2013

**CERTIFIED MAIL 7007 1490 0003 4205 4950**

Semira Hussien  
Imnays AFH  
13107 110<sup>th</sup> Avenue Court East  
Puyallup WA 98374

Adult Family Home License # 606601

**IMPOSITION OF CIVIL FINE  
IMPOSITION OF CONDITIONS ON A LICENSE**

Dear Semira Hussien:

This letter constitutes formal notice of the imposition of conditions on the license and a civil fine for your adult family home, located **13115 110<sup>th</sup> Avenue Court East, Puyallup, Washington**, by the State of Washington, Department of Social and Health Services, pursuant to the Revised Code of Washington (RCW) 70.128.160 and Washington Administrative Code 388-76-10940.

The civil fine is based on the following violations of the RCW and/or WAC found by the department in your adult family home. These and other deficiencies are more fully described in the attached Statement of Deficiencies report completed by the department on April 16, 2013.

**WAC 388-76-10015(1)(2)(3) License—Adult family home—Compliance required.**

**\$2,000.00**

**The Adult Family Home provider failed to fulfill her duty to promote the health, safety and well-being of two residents when resident behaviors were not managed, incident logs were not maintained, and suspected incidents of abuse/neglect were not reported to appropriate state agencies when required.**

**WAC 388-76-10225(1)(a)(i)(ii)(2)(f) Reporting requirement.**

**\$1,000.00**

**The Adult Family Home failed to report suspected incidents of abuse as required by chapter 74.34 RCW to the department's Complaint Resolution Unit and to two resident's case managers. This is a repeat violation of deficiencies cited on January 14, 2011.**

**WAC 388-76-10400(1)(2)(3)(a)(b) Care and services.**

**\$2,000.00**

**The Adult Family Home failed to ensure delivery of care and services identified in the Negotiated Care Plan for two residents, in a manger and in an environment that actively supported and maintained resident quality of life and safety, failed to manage assessed behaviors when continued resident-to-resident verbal altercations often escalated in physical altercations, and failed to manage continued behaviors by a resident when clothing, furniture and household items were thrown.**

**WAC 388-76-10670(1)(2)(3)(4) Prevention of abuse.**

**\$2,000.00**

**The Adult Family Home failed to ensure two residents were protected from abusing each other during verbal altercations which sometimes resulted in physical assault; failed to prevent further altercations after repeated incidents were identified; and failed to prevent a resident from exiting the adult family home without supervision and throwing items when angry.**

You may contest the civil fine by requesting an administrative hearing. The Office of Administrative Hearings must receive your written request for a hearing within twenty-eight (28) calendar days following receipt of this letter. A copy of this letter and a copy of the enclosed Statement of Deficiencies must be included with your request. Send your request to:

**Office of Administrative Hearings  
PO Box 42489  
Olympia, Washington 98504-2489**

If no hearing is requested, the fine is due twenty-eight (28) calendar days after receipt of this notice. Please remit a check for **\$7,000.00** payable to the Department of Social and Health Services. The check should be sent to:

**DSHS Office of Financial Recovery  
PO Box 9501  
Olympia, Washington 98507-9501**

If payment has not been received within twenty-eight (28) days after receipt of this notice, interest will begin to accrue on the balance at the rate of one percent per month. If you do not submit a hearing request or make payment within twenty-eight (28) days, the balance due the department will be recovered.

The imposition of conditions on a license is based on the following violations of the Revised Code of Washington (RCW) and/or the Washington Administrative Code (WAC) found by the department in your adult family home. These and other deficiencies are more fully described in the attached Statement of Deficiencies report completed by the department on April 16, 2013.

**WAC 388-76-10015(1)(2)(3) License—Adult family home—Compliance required.**

The Adult Family Home provider failed to fulfill her duty to promote the health, safety and well-being of two residents when resident behaviors were not managed, incident logs were not maintained, and suspected incidents of abuse/neglect were not reported to appropriate state agencies when required.

**WAC 388-76-10220(1)(2)(3) Incident log.**

The Adult Family Home (AFH) failed to ensure an Incident Log was maintained to document alleged or suspected incidents of neglect or abuse for two residents.

**WAC 388-76-10225(1)(a)(i)(ii)(2)(f) Reporting requirement.**

The Adult Family Home failed to report suspected incidents of abuse as required by chapter 74.34 RCW to the department's Complaint Resolution Unit and to two resident's case managers. This is a repeat violation of deficiencies cited on January 14, 2011.

**WAC 388-76-10355(7)(a)(b) Negotiated care plan.**

The Adult Family Home failed to use the resident assessment for one resident to develop and implement a plan to provide direction to staff to implement "in case of a foreseeable crisis due to a resident's assessed needs".

**WAC 388-76-10365 Negotiated care plan—Implementation—Required.**

The Adult Family Home failed to implement the Negotiated Care Plan for two residents when staff failed to manage identified behaviors leading to verbal and physical assaults between two residents; and staff failed to manage a resident's behaviors which lead to throwing clothing, furniture and other household items when angry.

**WAC 388-76-10380(2) Negotiated care plan—Timing of reviews and revisions.**

The Adult Family Home failed to ensure the Negotiated Care Plan for one resident was reviewed and revised after significant changes in the resident's behavior, to include exit-seeking, absence from school or attending school with poor hygiene were identified; or after the resident's psychotropic medications were changed.

**WAC 388-76-10400(1)(2)(3)(a)(b) Care and services.**

The Adult Family Home failed to ensure delivery of care and services identified in the Negotiated Care Plan for two residents in a manner and in an environment that actively supported and maintained resident quality of life and safety, failed to manage assessed behaviors and failed to manage continued behaviors by a resident when clothing, furniture, and household items were thrown.

**WAC 388-76-10615(3)(6) Resident rights—Transfer and discharge.**

The Adult Family Home failed to ensure resident rights of one resident when the resident was not given 30 days written notice prior to discharge from the Adult Family Home.

**WAC 388-76-10670(1)(2)(3)(4) Prevention of abuse.**

The Adult Family Home failed to ensure two residents were protected from abusing each other during verbal altercations which sometimes resulted in physical assault; failed to prevent further altercations after repeated incidents were identified; and failed to prevent a resident from exiting the adult family home without supervision and throwing items when angry.

**WAC 388-76-10673 (1)(a)(2)(a) Abuse and neglect reporting—Mandated reporting to department--Required.**

The Adult Family Home failed to ensure suspected incidents of resident-to-resident altercations between two residents and one resident's attempts at elopement were reported to the department's Complaint Resolution Unit.

The department, based on the findings of the inspection, has determined that the following condition(s) shall be placed on your adult family home:

- *By May 6, 2013, the licensee, all caregivers, volunteers, and other staff in the home current and future, must complete the online Mandatory Reporter Training located at <http://www.adsa.dshs.wa.gov/APS/training>.*
- *The licensee must maintain documentation of completion of this training in each caregiver's file.*
- *By May 20, 2013, the licensee, at the home's expense, will hire a qualified consultant not currently associated with the home, with knowledge of adult family home abuse requirements, WAC 388-76-10670 – 10680, to provide an additional 6 hours of Abuse, Neglect, Exploitation, and Abandonment Training to the licensee, caregivers, volunteers, and other staff in the home, current and future. The topics covered must include screening, identification, training, prevention, investigation, protection, and reporting/response.*
- *By May 20, 2013, the licensee, at the home's expense, will hire a qualified developmental disability/behavioral consultant, not currently associated with the home, to provide onsite training to licensee, caregivers, volunteers, and other staff in the home, current and future. The topics covered must include an overview of developmental disabilities, understanding behaviors, crisis prevention and intervention. The consultant will reassess all resident assessments and care plans to assure resident needs are met, and assist the licensee with the development and*

***implementation of protocols for residents with a diagnosis of an intellectual disability. The consultant will make visits until the provider and staff demonstrates knowledge of developmental disabilities, understanding behaviors, crisis prevention and intervention.***

- ***The licensee will give the consultants a copy of the March 28, 2013 Statement of Deficiencies (SOD).***
- ***The consultants will be available to the Department for questioning.***
- ***The license must post the license with the enclosed Notice of Conditions of Operation in the adult family home in a location accessible to residents and visitors.***

The effective date of the conditions on your license is April 29, 2013. As provided in RCW 70.128.160(4), WAC 388-76-10995, and WAC 388-76-10990, the effective date of the conditions on your license will not be postponed pending an administrative hearing or informal dispute resolution review.

As provided in RCW 70.128, you may request an informal dispute resolution review of enforcement actions initiated in response to a Statement of Deficiencies report. During the informal dispute resolution process you also have the right to present written evidence refuting this action. A request for informal dispute resolution review will not change the deadline for you to request an administrative hearing. Informal dispute resolution review by the department is not binding in an administrative hearing.

To request an informal dispute resolution review, send your written request to:

Informal Dispute Resolution Program Manager  
Aging and Disability Services Administration  
PO Box 45600  
Olympia, Washington 98504-5600  
Fax (360) 725-2645

The written request should:

- Identify the citation and/or enforcement action that is disputed;
- Explain why the home is disputing the action;
- Indicate the type of dispute resolution process you prefer (direct meeting, telephone conference or documentation review); and
- Be sent within 10 working days of your receipt of this notice.

### **Plan of Correction/Attestation**

#### **You must:**

Return the plan/attestation, on the enclosed report, within **10 calendar days** after you receive this letter. Include the following in you plan for each deficiency:

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- The date you have or will correct each deficiency; and
- Provide a signature and date certifying that you have or will take corrective measures to correct each cited deficiency. Send your Plan of Correction to:

DSHS, Aging and Disability Services Administration  
Residential Care Services, District 3, Unit B  
1949 S. State Street MS: N27-24  
Tacoma WA 98405-2850  
(253) 983-3837

If you have any questions, please contact Janice Jiles at (360) 664-8421.

Sincerely,

Lori Melchiori, Ph.D.  
Assistant Director  
Residential Care Services

Enclosure

cc: Bett Schlemmer, Compliance Specialist  
Field Manager, District 3, Unit B  
RCS District Administrator, District 3  
HCS Regional Administrator, Region 3  
DDD Regional Administrator, Region 3  
WA LTC Ombudsman  
Area Agency on Aging, AAA- Pierce  
Office of Financial Recovery, Vendor Program Unit  
Medicaid Fraud Control Unit  
Judi Plesha, HCS  
BAM